



IAP12 Rec'd PCT/PTO 30 APR 2007

ATTORNEY DOCKET NUMBER: 2007674-0022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wirtz, et al. Examiner:  
Serial No.: 10/576,900 Art Unit:  
Filing Date: April 21, 2006  
Title: Methods and Compositions for the Response Prediction of Malignant  
Neoplasia to Treatment

MAIL STOP: MISSING PARTS  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

<b>Certificate of Mailing</b>	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
April 27, 2007	<i>Sandra Saccocia</i>
Date	Signature
Sandra Saccocia	
Typed or Printed Name of person signing certificate	

**TRANSMITTAL OF RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICES)**

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed on December 27, 2006, enclosed herewith please find the following:

1. Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (2 pages);
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (3 pages);
3. Executed Declaration executed by Ralph Wirtz and Marc Munnes (4 pages);
4. Amendment Introducing Sequence Listing (1 page);
5. Statement Under 37 C.F.R. § 1.821 (1 page);
6. Paper copy of Sequence Listing (313 pages);
7. Computer-readable diskette copy of the Sequence Listing;
8. Credit Card Payment Form in the amount of \$450.00 for fees; and
9. Return Postcard

Additionally, please charge any further fees associated with this filing or apply any credits to our Deposit Account No. 03-1721.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cameron M. Luitjens', is written over a horizontal line.

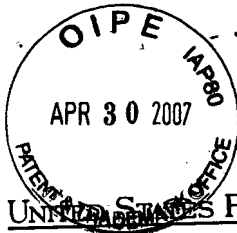
Cameron M. Luitjens., Ph.D.  
Reg. No. 58,674

Choate, Hall & Stewart LLP  
Two International Place  
Boston, MA 02110  
Telephone (617) 248-5000  
Facsimile (617) 248-4000

Dated: April 27, 2007

4202719\_1.DOC

2AYC



Brick, ML / Law / SFS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/576,900	FIRST NAMED APPLICANT Wirtz	ATTY. DOCKET NO. 01577550263BHC031051US
---	--------------------------------	--

INTERNATIONAL APPLICATION NO. PCT/EP04/11599
---

I.A. FILING DATE 10/15/2004	PRIORITY DATE 10/28/2003
--------------------------------	-----------------------------

24280  
CHOATE, HALL & STEWART LLP  
TWO INTERNATIONAL PLACE  
BOSTON, MA 02110

Resub to MF  
371  
Due 2/27/07  
Final 7/27/07

CONFIRMATION NO. 6097

371 FORMALITIES LETTER



Date Mailed: 12/27/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/21/2006
- Copy of the International Search Report filed on 04/21/2006
- U.S. Basic National Fees filed on 04/21/2006
- Priority Documents filed on 04/21/2006
- Specification filed on 04/21/2006
- Claims filed on 04/21/2006
- Abstracts filed on 04/21/2006
- Drawings filed on 04/21/2006
- Paper nucleotide sequence listings filed on 04/21/2006

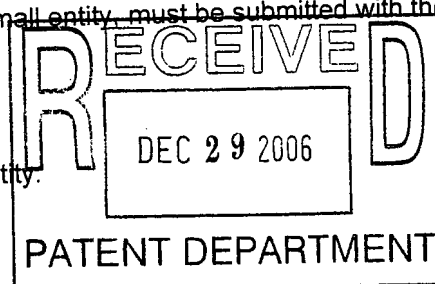
The applicant needs to satisfy supplemental fees problems indicated below.

✓ The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ✓ • Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- ✓ • To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

✓ Total additional fees required for this application is \$-2170 for a Large Entity.



• **\$130 Surcharge.**

- ✓ • This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- ✓ • A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

(A previous payment of \$2300 will be applied to the additional fees indicated above.)

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

✓ **ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

✓ The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,900	PCT/EP04/11599	01577550263BHC031051US

FORM PCT/DO/EO/905 (371 Formalities Notice)



ATTORNEY DOCKET NUMBER: 2007674-0022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wirtz, et al. Examiner:  
Serial No.: 10/576,900 Art Unit:  
Filing Date: April 21, 2006  
Title: Methods and Compositions for the Response Prediction of Malignant  
Neoplasia to Treatment

MAIL STOP: MISSING PARTS  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
April 27, 2007	Sandra Saccoccia
Date	Signature
Sandra Saccoccia	
Typed or Printed Name of person signing certificate	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 37 C.F.R. §371**

In response to the Notification to File Missing Requirements under 37 C.F.R. §371, mailed on December 27, 2006, enclosed herewith are Declarations executed by the inventors, as well as a paper copy and computer-readable copy of the sequence listing.

The shortened deadline for responding to the Notification to File Missing Requirements was February 27, 2007. Applicant hereby requests a two (2) month extension of time, from February 27, 2006, up to and including April 27, 2007. Applicant therefore encloses a Credit Card Payment Form (Form PTO-2038) in the amount of \$450 to be applied towards the two (2) month extension of time fee.

03/02/2007 GREY1 00000057 10576900  
01 FC:1252

450.00 0P

Please charge any additional fees or credit any overpayments that may be required to our  
Deposit Account No. 03-1721.

Respectfully submitted,



Cameron M. Luitjens, Ph.D.  
Reg. No. 58,674

Choate, Hall & Stewart LLP  
Two International Place  
Boston, MA 02110  
Telephone (617) 248-5000  
Facsimile (617) 248-4000

Dated: April 27, 2007

4202579\_1.DOC